

Party Donations Return for 2008

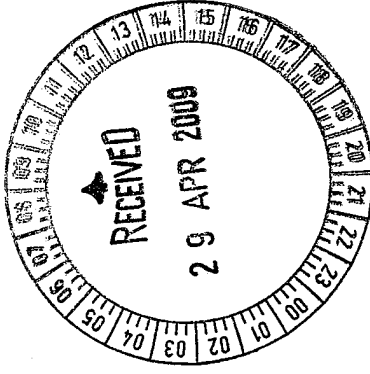
Party name	ACT New Zealand
Financial agent name	Nick Kearney
Party secretary name if different	

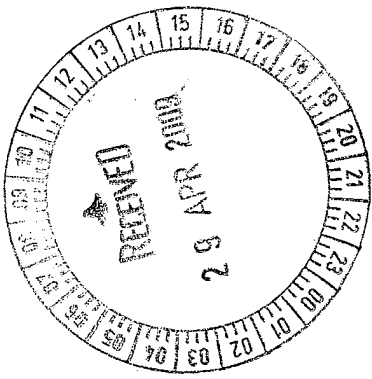
Checklist:

Sections A to E completed, if no return in a section then write 'nil' in first row	<input checked="" type="checkbox"/>
Statutory declaration from financial agent – section 51(7)(a)	<input checked="" type="checkbox"/>
Statutory declaration form party secretary – section 51(7)(a)	<input checked="" type="checkbox"/>
Financial agent has initialled every page	<input checked="" type="checkbox"/>
All relevant supporting documentation supplied to auditor	<input checked="" type="checkbox"/>
Auditor has stamped or initialled every page	<input checked="" type="checkbox"/>
Auditor's report enclosed – section 51(7)(b) and 52	<input checked="" type="checkbox"/>
Representation letter enclosed, if used	<input checked="" type="checkbox"/>

Send to Electoral Commission, PO Box 3050, Wellington. To arrive by 30 April 2009

If it is not a nil return please supply an electronic copy to info@elections.govt.nz





Section A – Every donation from the same donor during the year, over \$10,000.

Sections 51(1)(a) and 51(2)

This includes aggregations from the same donor.

This section does not include anonymous, protected disclosure and overseas donations which are reported in sections C, D and E.

	Donor's name	Donor's address	Date of donation (or dates if an aggregation)	Does the donation contain contributions?	Amount of donation or aggregation
1	John Boscawen	ct- Parliament Buildings, Wellington	26/09/2008	No	\$100,000.00
2	John Boscawen	" " "	04/12/2008	No	\$1,000.00
3	Alan Timothy Gibbs	SH16, RD, Kaitapaka, Auckland	09/04/2008	No	\$100,000.00
4	Alan Timothy Gibbs	" " "	07/11/2008	No	\$100,000.00
5	The Virtual Bucket Limited	ct- Level 17, 764 Colombo St, Chcl	02/12/2008; 11/12/08	Yes	\$14,906.25
6					
7					
8					
9					

(add more rows as needed)

Fin Agent Initial	
Auditor Stamp/Initial	

**Section C – Every anonymous donation received that was for a sum greater than \$1,000 (that is those that are relinquished to the Electoral Commission to be paid into a Crown Bank Account)
Sections 51(1)(c) and 51(4)**

Anonymous is defined in section 21

Note if the donation is over \$1,000 then keep \$1,000 and pay the rest to the Electoral Commission within 20 working days

Date donation received	Amount of donation	Amount paid to Electoral Commission	Date payment made to Electoral Commission	(for office use) Date payment received
NIL	_____	_____ ↑		

(add more rows as needed)

Fin Agent Initial	
Auditor Stamp/Initial	AUCIN

Section D – Every donation or contribution from an overseas person that was greater than \$1,000 (that is those that are relinquished to the overseas person or if the person cannot be identified to the Electoral Commission to be paid into a Crown Bank Account) Sections 51(1)(d) and 51(5)

Note if the donation is over \$1,000 then keep \$1,000 and either return the rest to the person who made the donation or pay it to the Electoral Commission within 20 working days

Overseas person is defined in section 32

Date donation or contribution received	Amount of donation or contribution	Was the excess returned to the donor or sent to the Electoral Commission?	Amount relinquished	Date payment returned or made to Electoral Commission	(for office use) Date payment received
NIL		↑			

(add more rows as needed)


Fin Agent Initial	DAVID WATKINS
Auditor Stamp/Initial	DAVID WATKINS Chartered Accountant Audit

Section E – All payments from the Electoral Commission of donations protected from disclosure Sections 51(1)(e) and 51(6)

Donations protected from disclosure are described in section 41

Date payment received	Amount of payment	Amount of interest included in the payment	(for office use) Date payment sent
NIL	_____	↑	

(add more rows as needed)

Fin Agent Initial	
Auditor Stamp/Initial	



Statutory declaration by the party secretary and financial agent accompanying Party Donation Return under the provisions of section 51 of the Electoral Finance Act 2007

Please insert...
Full name of person who is both the party secretary and the financial agent

I, *Nick Kearney*

name of party who is the party secretary and is the financial agent of

ACT New Zealand

solemnly and sincerely declare that to the best of my knowledge and belief the attached donation return correctly sets out all the details required by subsections (2) to (6) and a fair assessment has been made of the reasonable market value of donations, if any, of the kind described in paragraph (a)(i) or (ii) of the definition of party donation in section 21(2) of the Electoral Finance Act 2007

Party secretary to sign before authorised person

[Signature]

locality Declared at *Auckland*

nth, month, year this *9th* day of *April*, 2009 before

Authorised person to complete

[Signature]

Justice of the Peace, Solicitor, or other person authorised to take a statutory declaration

EMMA ELIZABETH ANNE BIRD
SOLICITOR
AUCKLAND

PO Box 99 651
Newmarket
Auckland



9 April 2009

David Knightley
LayDodd Partners
PO Box 28 898
Auckland

Dear David

Letter of Representation for Party Donations Return for the 2008 calendar year

This representation letter is furnished in connection with the return of party donations for the 2008 calendar year ("the return") by ACT New Zealand ("the Party") made in accordance with section 51 of the Electoral Finance Act 2007 ("the Act") which has been audited by you in accordance with section 52 of the Act.

I understand that your audit was conducted in accordance with the relevant provisions of the Act and the Auditing Standards issued by the New Zealand Institute of Chartered Accountants.

I confirm and take responsibility for the following representations after taking all reasonable steps to assure myself of them:

- 1 The return has been prepared in accordance with the relevant provisions of the Act.
- 2 I am responsible for establishing and maintaining a system of internal control designed to provide reasonable assurance as to the integrity and reliability of the return, I have done this, and all explanations or demonstrations of this to you have been complete and accurate.
- 3 All records, documents and accounts ("records") have been kept by the Party (including subsidiary entities) and made available to you, and these materials will be retained in accordance with the requirements of the Act.
- 4 I have disclosed to you:
 - 4.1 any material transactions not disclosed in the records;

- 4.2 any alleged, suspected or proven illegal activity under the Act or other legislation potentially relevant to the return;
 - 4.3 the fact of, and results from, any assessment made by me that considered whether the records of the Party may be materially misstated or incomplete for any reason.
- 5 The return contains the total returnable donations received by the Party in the 2008 calendar year. The return includes:
 - 5.1 donations in the form of money, goods or services paid for by others, discounts given on goods or services provided to the party, premiums paid in respect of good or services provided by the party, and credit provided to the party at terms more favourable than the prevailing commercial terms, including the value of GST on any of those items;
 - 5.2 donations of more than \$10,000 in aggregate from an individual donor, whether by direct donation or as a contributor to a donation, and anonymous and overseas donations and contributions of more than \$1,000;
 - 5.3 payments received from the Electoral Commission of donations protected from disclosure.
- 6 The return's contents have been determined by considering, in the following sequence, these questions and the relevant provisions of the Act:
 - 6.1 What benefits to the party were "donations"?
 - 6.1.1 What gifts of money did the party receive?
 - 6.1.2 What gifts of goods or services did the party receive?
 - 6.1.3 What was the difference between the contract price and the reasonable market value (including GST) of any goods or services provided to the party at a discount?
 - 6.1.4 What was the difference between the contract price and the reasonable market value (including GST) of any goods or services provided by the party at a premium?
 - 6.1.5 What was the value to the party of the terms and conditions of any credit provided to the party on more favourable terms and conditions than prevailed at the time?

- 6.2 What donations were made to the "party"?
- 6.2.1 Was the donation provided to the party or to any person or organisation on behalf of the party?
- 6.3 Do any of the donations identified above, or components of those donations, fall within the party donation exclusions, such as:
- the labour of any person provided free of charge by that person; and
 - any candidate donation that is included in a candidate donation return
- 6.4 Apart from donations protected from disclosure, which persons made "donations" to the party and which persons made "contributions to a donation"?
- 6.4.1 Did person A make the donation directly to the party (or any person or organisation involved in the administration of the affairs of the party)?
- 6.4.2 Did person A give the donation to another person or organisation (person B) to forward on (transmit) to the party?
- 6.4.3 Did person A give the donation to another person or organisation (person C) with the knowledge or expectation that it would be wholly or partly applied to funding a donation?
- 6.5 Which donations must be included in the return?
- 6.5.1 Which donors donated more than \$10,000 in aggregate during the calendar year?
- 6.5.2 Which contributors to a donation contributed more than \$10,000 in aggregate during the calendar year?
- 6.5.3 Which anonymous donations or anonymous contributions to a donation exceeded \$1,000 and who was the excess returned or paid to?
- 6.5.4 Which donations or contributions to a donation made by overseas persons exceeded \$1,000 and who was the excess returned or paid to?
- 6.5.5 How much did the party receive from the Electoral Commission in payments of donations protected from

disclosure and how much interest was included in those payments?

- 7 Where an assessment has been made of the reasonable market value of a donation, the basis of the assessment is fair and appropriate, and has been properly applied and recorded.
- 8 Any and all misstatements you have identified during the course of your audit have been adjusted in the final return.
- 9 I have completed our own procedures, distinct from your audit processes, to evaluate the accuracy and completeness of the return.
- 10 The return is free of any material misstatements or omissions.

These representations are made in terms mutually agreed between us, and to supplement information obtained by you from the records of the Party and to confirm information given to you orally.

Yours sincerely,



Nick Kearney
Party Secretary and Financial Agent

DAVID KNIGHTLEY

A C C O U N T I N G

Chartered Accountant & Business Adviser

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PO Box 28 898
Auckland 1541
New Zealand
Phone (64 9) 623-7778
MOB (64 9) 021901122
Fax (64 9) 623-7779
Email: david@laydodd.co.nz

Auditors' Report

To the members of ACT New Zealand

I have audited the Party Donation Return of ACT New Zealand. The Party Donation Return on pages one to six together with the Representation Letter by the party financial agent dated 9 April 2009 provides information about the donations received by ACT New Zealand for the period 1 January 2008 to 31 December 2008. This information is stated to be in accordance with the Electoral Finance Act 2007.

Party Financial Agent Responsibilities

The Party Financial Agent is responsible for the preparation and presentation of the Party Donation Return and the information contained therein, for the purposes of section 51 of the Electoral Finance Act 2007.

Auditors' Responsibilities

It is my responsibility to express an independent opinion on the Party Donation Return presented by the Party Financial Agent and report my opinion in accordance with section 52 of the Electoral Finance Act 2007.

Basis of Opinion

An audit includes examining, evidence relevant to the amounts and disclosures in the Party Donation Return.

I have conducted my audit in accordance with New Zealand Auditing Standards and the Electoral Finance Act 2007. I have planned and performed the audit so as to obtain all the information and explanations which I considered necessary. I have obtained sufficient evidence to give reasonable assurance that the Party Donation Return is free from material mis-statements, whether caused by fraud or error.

Other than in my capacity as auditor, I have no relationship with or interest in ACT New Zealand.

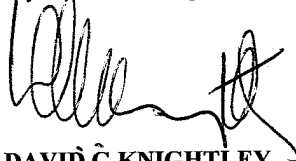
Qualified Opinion

In common with other organisations of a similar nature, control over donations prior to being recorded is limited. It was not practicable to extend my examination of donations beyond the accounting for amounts received as shown by the accounting records of ACT New Zealand, or to determine the effect of the limited control.

In this respect alone I have not obtained all the information and explanations I have required.

In my opinion, except for adjustments, if any, that might have been necessary had I been able to obtain sufficient evidence concerning donations received prior to being recorded in the financial records of the Party, the Party Donation Return fairly reflects the Party donations received by the Party as defined by section 21 of the Electoral Finance Act 2007.

My audit was completed on 24 April 2009 and my qualified opinion is expressed as at that date.



DAVID G KNIGHTLEY
Chartered Accountant